UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1992/58
10 February 1992

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Forty-eighth session
Agenda item 11

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

Regional arrangements for the promotion and protection of human rights

Report of the Secretary-General in accordance with paragraph 10 of General Assembly resolution 45/167

Introduction

1. In its resolution 45/167 of 18 December 1990 entitled "Regional arrangements for the promotion and protection of human rights", the General Assembly, "bearing in mind that regional instruments should complement the universally accepted human rights standards and that the persons chairing the human rights treaty bodies of the United Nations noted during their third meeting, held at Geneva from 1 to 5 October 1990, that certain inconsistencies between provisions of international instruments and those of regional instruments might raise difficulties with regard to their implementation", noted with interest, inter alia, "that various contacts between regional bodies and commissions and the United Nations have continued to be pursued and strengthened through advisory services and technical assistance activities, particularly those relating to the organization of regional and subregional training courses in the field of human rights".

2. In the same resolution, the General Assembly invited "States in areas where regional arrangements in the field of human rights [did] not yet exist to consider agreements with a view to the establishment within their respective regions of suitable regional machineries for the promotion and protection of human rights", and endorsed "the appeal made to all Governments in Commission on Human Rights resolutions 1989/72 and 1990/58 to consider making use of the possibilities offered by the United Nations of organizing,

under the programme of advisory services in the field of human rights, information and/or training courses at the national level for appropriate government personnel on the application of international human rights standards and the experience of relevant international organs".

3. The Assembly further requested "the Commission on Human Rights to continue to pay special attention to the most appropriate ways of assisting, at their request, countries of the different regions under the programme of advisory services, and to make, where necessary, the relevant recommendations". The Assembly invited "the Secretary-General to submit to the Commission on Human Rights at its forty-eighth session, and to the General Assembly at its forty-seventh session, a report on the state of regional arrangements for the promotion and protection of human rights, and to include therein the results of action taken in pursuance of the present resolution". The present report is submitted to the Commission in pursuance of the invitation made by the General Assembly to the Secretary-General.

ENCOURAGEMENT OF CONTACTS BETWEEN REGIONAL BODIES AND THE UNITED NATIONS

4. The Centre for Human Rights, taking into consideration the directives of the relevant United Nations organs that regional arrangements for the promotion and protection of human rights should contribute to the effective enjoyment of human rights and fundamental freedoms, pursued and strengthened its contacts and cooperation with the established regional organizations in the field of human rights, namely the African Commission on Human and Peoples' Rights of the Organization of African Unity (OAU), the Inter-American Commission and Court on Human Rights of the Organization of American States (OAS) and the European Commission and Court of Human Rights, with a view to exchanging information and experiences in the field of human rights. The Centre for Human Rights also continued to collaborate with other institutions and organizations, such as the Commonwealth Secretariat Human Rights Unit, the International Institute of Human Rights at Strasbourg, France, the Institute of Humanitarian Law at San Remo, Italy, the Interamerican Institute of Human Rights at San José, the Andean Commission of Jurists at Lima, the African Centre for Democracy and Human Rights Studies at Banjul, the Arab Institute of Human Rights at Tunis, the International Centre for Sociological, Penal and Penitentiary Research and Studies at Messina, Italy, the International Institute for Higher Studies in Criminal Science at Siracusa, Italy, the Institute Henri Dunant at Geneva, the Raoul Wallenberg Institute of the University of Lund, Sweden, as well as the United Nations Economic and Social Commission for Asia and the Pacific.

5. Information is exchanged on a regular basis between the United Nations and the regional organizations regarding the status of ratifications of human rights instruments developed under each system. Following the recommendation of the Preparatory Committee for the World Conference on Human Rights at its first session that in the future updates of the publications Human Rights: A Compilation of International Instruments and Human Rights: Status of International Instruments should include the texts of regional instruments on human rights, the Centre contacted the Council of Europe, the Organization of American States and the Organization of African Unity and is collecting the relevant texts.

6. In 1991, the Centre continued to pursue and strengthen, through its advisory services and technical assistance activities, the promotion of human rights in the various regions of the world in order to promote an exchange of information and experience in the field. These activities are described in detail in the report of the Secretary-General on advisory services in the field of human rights (E/CN.4/1992/49). The report of the Secretary-General on regional arrangements for the promotion and protection of human rights in the Asian and Pacific region, prepared pursuant to Commission resolution 1991/28, is contained in document E/CN.4/1992/24. Therefore, only a brief summary of the activities which are relevant to the subject of this report will be given in the present document.

7. Under the Centre's fellowship programme in human rights, 41 nationals from all parts of the world, mainly from developing countries, spent six weeks in 1991 in Strasbourg and Geneva studying the United Nations, African, American and European systems for the protection and promotion of human rights.

8. The Centre, in cooperation with the Department of Public Information (DPI), continued its efforts to ensure comprehensive documentation and reference services in human rights at the libraries of United Nations information centres in various regions of the world. In this context, a basic list of reference and information materials on human rights was developed and basic human rights documentation sent in accordance with the replies to a questionnaire sent to information centres around the world. Details of these activities are contained in the report of the Secretary-General on the development of public information activities in the field of human rights (E/CN.4/1992/22).

9. Mention should also be made of General Assembly resolution 46/124 entitled "National institutions for the protection and promotion of human rights", which emphasizes the importance of the Declaration of Human Rights, the International Covenants on human rights and other international instruments for promoting respect for and observance of human rights and fundamental freedoms. In that resolution the Assembly requested the Centre for Human Rights to continue its efforts in order to enhance cooperation between the United Nations and regional and national institutions, particularly in the field of advisory services and technical assistance, public information and education in the field of human rights. It also requested the Centre to establish, upon the request of States concerned, United Nations centres for human rights documentation and training, and to do so on the basis of established procedures for the use of available resources within the Voluntary Fund for Advisory Services and Technical Assistance in the Field of Human Rights.

A. Africa

10. The United Nations and regional systems for the promotion and protection of human rights were dealt with in a number of training courses and workshops organized by the Centre for Human Rights in cooperation with the African Commission on Human and Peoples' Rights. These included the Training Course for French-speaking African Countries, held at San Remo, Italy from 11 to 15 March 1991 and the International Seminar on Human Rights Standards and the Administration of Justice, held at Cairo from 8 to 12 July 1991, with the

participation of 41 African countries. International and regional human rights instruments and mechanisms for the protection and promotion of human rights were studied at the Human Rights Workshop held at Windhoek from 16 to 24 February 1991, which was organized by the Raoul Wallenberg Institute in cooperation with the Centre for Human Rights.

11. The Centre continued to develop its programme of technical cooperation with the African Commission with a view to strengthening its infrastructure. The Centre also assisted the African Centre for Democracy and Human Rights Studies at Banjul. One of the activities that resulted from this support was the issue of the publication National Human Rights Institutions in Africa. The assistance provided by the Centre to the Arab Institute of Human Rights at Tunis also continued to be strengthened during 1991.

B. Asia and the Pacific

12. The Asian and Pacific Region is the only region within the United Nations system which still lacks a regional arrangement and a regional machinery for the promotion and protection of human rights. Adherence to United Nations human rights instruments by Member States of that region is also one of the lowest among the regions of the United Nations system. The question of regional machinery for the promotion and protection of human rights was discussed at the Seminar on National, Local and Regional Mechanisms for the Promotion and Protection of Human Rights in the Asian Region, which was held in Colombo in 1982, and at the regional seminar on the teaching of human rights, which took place at Bangkok in 1987. Both seminars were organized by the Centre for Human Rights under its programme of advisory services.

13. In 1991, the Centre for Human Rights continued its cooperation with the Executive Secretary of the Economic and Social Commission for Asia and the Pacific (ESCAP) for the establishment of a depository centre for United Nations human rights materials within the Commission at Bangkok. In this connection, the Centre notified the Executive Secretary of ESCAP of the contents of resolution 1991/28. In addition, fewer Member States of that region have ratified international human rights instruments than in any other region.

14. Pursuant to that resolution, the Secretary-General solicited information from United Nations development agencies in the region. The information received is found in paragraphs 4 to 22 of the report of the Secretary-General (E/CN.4/1992/24). Also in accordance with that resolution, the Secretary-General consulted the following Member States of the region: Afghanistan, Australia, Bangladesh, Bhutan, Brunei Darussalam, Cambodia, China, Fiji, India, Indonesia, Iran (Islamic Republic of), Japan, Lao People's Democratic Republic, Malaysia, Maldives, Mongolia, Myanmar, Nepal, New Zealand, Pakistan, Papua New Guinea, the Philippines, Samoa, Singapore, Solomon Islands, Sri Lanka, Thailand, Vanuatu and Viet Nam. As of 31 January 1992, only the reply from Brunei Darussalam had been received (See E/CN.4/1992/24, paras. 24-26).

15. In cooperation with the Government of Indonesia, the Centre for Human Rights organized a human rights workshop in Jakarta from 21 to 22 January 1991. The workshop reviewed the United Nations system for the promotion and protection of human rights, including international monitoring and implementation procedures, and the role of national institutions for the

promotion and protection of human rights. A regional workshop to deal with the question of national institutions for the promotion and protection of human rights and to review the United Nations system, as well as the European, American and African regional systems, was to have taken place in Jakarta at the end of 1991, but it had to be postponed. That regional workshop would have dealt with the same topics as those taken up at the Manila workshop which was held in 1990 in the Philippines and which served to promote the establishment of a regional arrangement in the Asian and Pacific region. The Centre also organized a national training course on international human rights standards and national legislation at Ulaanbaatar from 28 October to 1 November 1991.

C. Europe

16. The collaboration between the United Nations Centre for Human Rights and the Council of Europe continued to be strengthened during 1991. The Centre participated in a number of activities organized by the Council of Europe, including seminars and conferences held at Strasbourg and Lisbon. Similarly, the Council of Europe took part in workshops and training courses organized by the Centre for Human Rights. Within this context, mention should be made of the National Workshop on International Human Rights Instruments and Reporting Obligations organized by the Centre for Human Rights in Moscow from 26 to 30 August 1991. The Workshop provided an opportunity for an exchange of information on the implementation of international human rights standards.

17. Regional mechanisms for the promotion and protection of human rights were extensively discussed during the International Workshop on National Institutions held in Paris from 7 to 9 October 1991 by the Centre for Human Rights, in cooperation with the French National Consultative Commission. The regional mechanisms developed in Europe, in the Americas and in Africa, in particular the Inter-American Court of Human Rights, the European Court of Human Rights and the African Commission on Human and Peoples' Rights, were discussed during the Workshop.

18. Furthermore, the Centre for Human Rights organized, in Barcelona, Spain from 13 to 17 January 1992, an international conference within the context of the Conference on Security and Cooperation in Europe, with the participation of the Council of Europe, during which various mechanisms at the level of the United Nations and the Council of Europe were discussed.

19. Cooperation was also strengthened between the Centre and the Council of Europe in the provision of assistance to Central and Eastern European countries. Mention should also be made of the training course for law enforcement officials organized by the Centre at Valletta from 9 to 19 December 1991, which included specific sessions dealing with United Nations international instruments on human rights, mechanisms and procedures, during which the European regional system was also discussed.

D. Latin America

20. The cooperation between the Centre and the Organization of American States resulted in a better knowledge of the human rights situation in a number of Latin American countries, as well as of the improvement of

procedures. The basic aspects of human rights and the administration of justice were studied in the training courses organized by the Centre in Caracas (25-28 June 1991) and Brasilia (17-19 June 1991). The application of United Nations human rights mechanisms and procedures and the complementary nature of those developed by the Organization of American States at the regional level are part of the technical assistance projects that the Centre is executing in Paraguay and Uruguay.

21. The Inter-American and United Nations systems for the protection and promotion of human rights were among the topics discussed at the Latin American Seminar on Human Rights, Democracy and Economic and Social Development, organized by the Centre for Human Rights and held in Santiago de Chile from 9 to 13 December 1991.

22. Following consultations within the Centre for Human Rights and the Organization of American States in March 1991, the Centre and the secretariat of OAS envisaged the possibility of establishing human rights centres for documentation and training in the region. Such centres would work for the implementation of United Nations and OAS human rights instruments, through public awareness and the organization of training courses and seminars. Discussions are under way with OAS to explore the possibility of an OAS State member working at the Centre for Human Rights in connection with the 1993 World Conference on Human Rights.

23. Mention should be made of the meeting which took place between the Secretariats of the United Nations the Organization of American States to promote better coordination and collaboration between the two organizations. The Centre for Human Rights participated in this meeting, which took place in New York in May 1991. In addition, the Centre participated in a number of human rights-related meetings organized in the various regions at which it informed participants about United Nations human rights standards, mechanisms and procedures and distributed information.

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24. During the period covered by the medium-term plan 1992-1997, the Secretary-General will continue to strengthen exchanges between the United Nations and regional intergovernmental organizations dealing with human rights. In this connection, the Centre for Human Rights will continue to organize national, regional and subregional workshops and training courses for administrators of justice and government officials engaged in the implementation of the International Covenants on human rights. It should be pointed out, however, that the resources available under the regular budget are insufficient to respond to all the requests of United Nations human rights bodies and those emanating directly from governments.

25. The Centre for Human Rights and DPI will continue the production and dissemination of local language versions of the Universal Declaration of Human Rights and provide United Nations information centres with relevant documentation.

26. The Commission may wish to encourage States parties to the International Covenants on human rights and other human rights instruments to translate them

into local languages and to disseminate them as widely as possible. The Commission may also wish to invite organizers of regional meetings in preparation for the World Conference on Human Rights to include in their respective agendas an item dealing with the interrelation between and complementarity of universally acccepted human rights standards (Universal Declaration of Human Rights, the International Covenants and other United Nations conventions) and regional human rights instruments. Within this context, the preparatory meeting of the Asian and Pacific region for the World Conference in 1993 could consider possible actions aimed at the establishment of a suitable regional machinery for the promotion and protection of human rights.

27. The report of the Secretary-General to the forty-seventh session of the General Assembly on the state of regional arrangements for the promotion and protection of human rights could include the status of ratifications by Member States of the principal international human rights instruments of the main human rights instruments adopted by the respective regional organizations.

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